

As a technologist (computer programmer), I am confronted on a daily basis with the fact that all technology is, at the core, without ethical or moral meaning. Instead, it is the actions undertaken with that technology that define its' ethical ramifications.

I am personally horrified by the thought that digital television may carry copy controls, for I can see few (if any) ways in which that could provide a positive benefit to outweigh the negative impact it would have upon the average television viewer. When I consider the recent actions of the Recording Industry Association of America (RIAA) and their releases of copy-locked compact discs, I shudder to think what similar actions would be taken by the broadcast industry were they able to similarly lock their (copywritten) programming. After all, this industry has already shown a belief that recording devices such as VCRs should be banned (Sony v. Universal et al) as devices infringing upon their copyrights. Were this industry given the capacity to so bottle their works, I have little doubt they would do so -- if you will pardon the pun, universally. Furthermore, even if the broadcast companies themselves did not impose such a plan, the producers of programs may choose to likewise impose a mandate for copy protection. In either case, the end result would be the same for the general public: a general inability to exercise the same time-shifting and personal archiving rights they enjoyed with analog broadcasts.

It would behoove the FCC, in considering a mandate for a copy control flag in digital television broadcasts, to recall the past and present behaviors of the content industries and, before or coincident with mandating copyright protection on digital broadcasts, declare regulatory guidelines upon the use of such a flag.